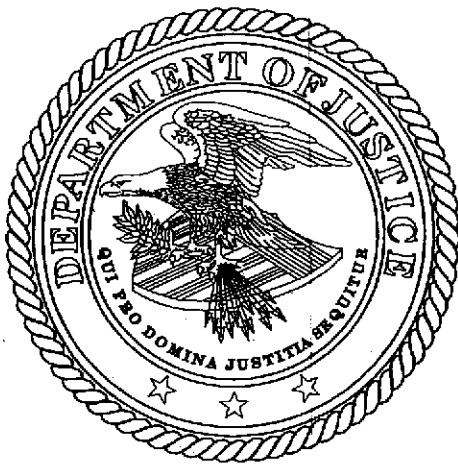


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12-CR-400



SEALED

Office of the United States Attorney
District of Nevada
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FILED

OCT 24 2012

UNITED STATES MAGISTRATE JUDGE
DISTRICT OF NEVADA
BY _____ DEPUTY

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVEN E. JONES,
THOMAS A. CECRLE, Jr.,
CONSTANCE C. FENTON,
TERRY J. WOLFE,
MARK L. HANSEN, and
ASHLEE M. MARTIN,

Defendants.

CRIMINAL INDICTMENT

2:12-cr- 400

VIOLATIONS:

Title 18, United State Code, Section 1349 –
Conspiracy to Commit Mail Fraud and Wire
Fraud (Count One) (as to all defendants)

Title 18, United States Code, Section 1343
and 2– Wire Fraud (Counts Two through
Seven) (as to all defendants)

Title 15 United States Code, Section 78j(b)–
Securities Fraud (Count Eight)
(as to all defendants)

Title 18, United States Code, Section
1956 (h) – Conspiracy to Commit Money
Laundering (Count Nine) (as to all
defendants)

Title 18, United States Code, Section 1957
and 2- Engaging in Money Transactions in
Property Derived from Specified Unlawful
Activity (Counts Ten and Eleven) (as to all
defendants)

Title 18, United States Code, Section
1956(a)(1)(B)(i) – Laundering of Monetary
Instruments (Counts Twelve through Twenty)
(as to all defendants)

The Grand Jury charges that all times relevant to this Indictment:

1

Background

1
2 1. Defendant Steven E. **JONES** resided in the State and Federal District of Nevada and
3 was a duly elected public official serving as District Court Judge for the State of Nevada and presiding over
4 matters brought in Clark County Family Court.

5 2. Defendant Thomas A. **CECRLE** resided in the State and Federal District of Nevada
6 and purported to others that he was an agent of the United States government and involved in high-yield
7 investment programs in Nevada and elsewhere.

8 3. Defendant Terry J. **WOLFE** resided in the State and Federal District of Nevada and
9 was associated with defendant Cecrle in high-yield investment programs within Nevada and elsewhere.

10 4. Defendant Constance C. **FENTON** resided in the State of Washington and was
11 associated with defendant Cecrle in high yield investment programs within Nevada and elsewhere.

12 5. Defendant Mark L. **HANSEN** resided in the State and Federal District of Nevada from
13 time to time, and was associated with defendant Cecrle in high-yield investment programs in Nevada and
14 elsewhere.

15 6. Defendant Ashlee M. **MARTIN** resided in the State and Federal District of Nevada
16 and was associated with defendant Cecrle in high-yield investment programs in Nevada and elsewhere.

17 **The Scheme to Defraud**

18 7. From beginning in or around September 2002 and continuing to on or about October
19 2012, the defendants, and others known and unknown to the Grand Jury, aided and abetted by each other,
20 did devise, intend to devise, and participate in a material scheme and artifice to defraud and for obtaining
21 money and property by means of materially false and fraudulent pretenses, representations, half-truths and
22 promises.

23 8. The purpose and object of the scheme and artifice was to induce others to give the
24 defendants money under the guise and pretense of a high yield investment program whereby a loan or
25 investment of money would be repaid in short order and at an extremely high rate of return that far
26 exceeded any normal market rates. In truth and in fact, however, the defendants had no intention of ever
27 repaying the money as promised and sought only to enrich themselves at the expense of their victims.
28 . . .

1 9. As part of the scheme and artifice, defendant **CECRLE** constructed a false story that
2 he held a special position with the United States government with access to public officials and secret
3 government programs. He falsely represented that by virtue of his position and access, he had obtained
4 exclusive and valuable rights and interests in property, including water rights in Northern Arizona, rights
5 to land on the Las Vegas strip, and rights and access to war bonds from the World War I era. Defendant
6 **CECRLE** further represented falsely that these rights and interests could be fully secured only if he
7 obtained a short-term loan or investment of cash which he falsely promised to repay at a rate of return in
8 excess of several thousand percent. In truth and in fact, defendant **CECRLE** was unemployed and not
9 connected to public officials or government programs and agencies in any legitimate way and none of the
10 purported rights or property interests existed.

11 10. As a further part of the scheme and artifice, the defendants worked together to advance
12 and perpetuate the false pretense that defendant **CECRLE** was who he purported to be and that the
13 fraudulent investments in fact existed. Using the mail, telephones, interstate wires, the internet, banks, and
14 other means and instrumentalities of interstate commerce, the defendants advertised, solicited, and
15 promoted their fraudulent scheme to victims across the United States.

16 11. As a further part of the scheme and artifice, the defendants typically solicited odd sums
17 of money in amounts of less than \$10,000 as loans or investments and claimed the money was needed
18 urgently. The defendants requested their victims to advance the money to them through wire transfers,
19 prepaid credit cards, direct bank deposits, or intra-bank account transfers. During the course of the scheme,
20 the defendants established and maintained at least ten (10) different bank accounts through which they
21 moved and laundered their fraudulent proceeds. To further conceal their activities and avoid detection, the
22 defendant typically deposited and withdrew sums of cash from financial institutions in amounts less than
23 \$10,000 in order to avoid currency transaction reporting requirements.

24 12. As a further part of the scheme and artifice, the defendants quickly converted investor
25 funds to their own purposes, such as living and gambling expenses, and then returned to their victims to
26 solicit more money, falsely claiming that circumstances had intervened to prevent the investment from
27 being fully realized and that additional money was needed to conclude the transaction. By repeating this
28 process with numerous victims, the defendants obtained more than \$ 3 million in proceeds from the fraud.

1 13. As a further part of the scheme and artifice, when victims questioned the legitimacy
2 of the high yield investment or when none of the money was repaid as promised, the defendants lulled
3 investors into a false sense of security by referring the victims to defendant **JONES**, a sitting Nevada
4 district court judge. The defendants told potential and disgruntled investors that defendant **JONES** knew
5 of defendant **CECRLE** and the investments, approved of them, and would vouch for him. Thereafter,
6 defendant **JONES** met with investors in chambers, over the telephone, and elsewhere and, using his office
7 as a district judge, knowingly vouched for defendant **CECRLE** and the high yield investment programs,
8 assuring investors that the scheme was sound, when he knew full well that other investors had never been
9 paid and that defendant **CECRLE** and the scheme were a fraud.

10 14. As a further part of the scheme and artifice, defendant **JONES** used his position as a
11 district court judge to intervene on behalf of defendant **CECRLE** with disgruntled investors to prevent or
12 delay legal process against defendant **CECRLE** and thus allow him to continue the scheme. Defendant
13 **JONES** also drafted and reviewed documents associated with the sham investments in an attempt to lend
14 some indicia of legitimacy to the otherwise fraudulent scheme and to lull investors into a false impression
15 that the scheme was legitimate.

16 15. As a further part of the scheme and artifice, defendant **JONES** used his position as a
17 district judge to act as a middleman for defendant **CECRLE**, fielding telephone calls for him in chambers
18 and receiving cash proceeds from the fraudulent scheme at the courthouse where he presided over cases.
19 During the course of the scheme, defendant **JONES** established and maintained a joint bank account with
20 defendant **CECRLE** through which they received and laundered in excess of \$ 250,000 in proceeds from
21 the fraud.

22 16. As a further part of the scheme and artifice, defendants **FENTON**, **WOLFE**,
23 **HANSEN**, and **MARTIN** used the telephone, mail, internet and other means and instrumentalities of
24 interstate commerce to solicit money, lull investors, direct the movement of money, pick up and deliver
25 money, establish and maintain bank accounts through which to move money, and to otherwise maintain
26 the false and fraudulent pretense that defendant **CECRLE** was who he purported to be and that the
27 fraudulent investments in fact existed.
28 . . .

17. It was further part of the scheme and artifice to defraud that the defendants made such other false, fraudulent, deceptive and deceitful representations as necessary to advance their fraudulent scheme, conceal their fraudulent activities from others, avoid detection, enrich themselves and cause devastating losses to their victims.

COUNT ONE

Conspiracy

(Title 18, United States Code, Section 1349)

18. Paragraphs 1 through 17 are incorporated herein as if set forth in full.

19. Beginning at a time unknown to the Grand Jury, but no later than September 2002, and continuing until on or about October 2012, in the State and Federal District of Nevada, and elsewhere,

**STEVEN E. JONES,
THOMAS A. CECRLE, Jr.,
TERRY J. WOLFE,
CONSTANCE C. FENTON,
ASHLEE M. MARTIN, and
MARK L. HANSEN,**

defendants herein, did conspire, confederate and agree with each other, and with others known and unknown to the Grand Jury, to commit the crime of wire fraud, in violation of Title 18, United States Code, Section 1343.

20. The object of the conspiracy was to devise, intend to devise, and participate in the material scheme and artifice to defraud as set forth herein for the purposes of obtaining money and property from others.

21. In furtherance of the conspiracy, the defendants performed the overt acts charged in Counts Two through Six of this Indictment.

All in violation of Title 18, United States Code, Section 1349.

COUNTS TWO THROUGH SIX

Fraud by Wire

(Title 18, United States Code, Section 1343)

22. Paragraph 1 through 21 are incorporated herein as if set forth in full.

23. On or about the dates set forth below, in the State and Federal District of Nevada, and elsewhere,

. . .

**STEVEN E. JONES,
THOMAS A. CECRLE, Jr.,
TERRY J. WOLFE,
CONSTANCE C. FENTON,
ASHLEE M. MARTIN, and
MARK HANSEN,**

defendants herein, aided and abetted by each other, for the purpose of executing the scheme and artifice set forth herein, and attempting to do so, did knowingly transmit and cause to be transmitted by means of wire communication in interstate commerce certain writings, signs, signals, and pictures, as follows:

	<u>Date</u>	<u>Origin</u>	<u>Destination</u>	<u>Description</u>
Count Two	12/13/2007	Gig Harbor, WA	Salinas, CA	Internet transmission of Settlement Agreement and Mutual Release from defendant Fenton to victim C.D.
Count Three	01/19/2008	Gig Harbor, WA	Las Vegas, NV	Western Union Wire of \$1000 to defendant Mark Hansen
Count Four	02/10/2008	Gig Harbor, WA	Las Vegas, NV	Western Union Wire of \$550 to defendant Mark Hansen
Count Five	10/17/2009	Chemic, NY	Las Vegas, NV	Moneygram Wire of \$2,995 to defendant Thomas Cecrle
Count Six	06/05/2010	Islandia, NY	Las Vegas, NV	Moneygram Wire of \$ 3,500 to defendant Thomas Cecrle
Count Seven	05/08/2011	Mesa, AZ	Las Vegas, NV	Western Union Wire of \$1,550 to defendant Terry Wolfe

All in violation of Title 18, United States Code, Sections 1343 and 2.

COUNT EIGHT
Securities Fraud
(Title 15, United States Code, Section 78j(b))

24. Paragraphs 1 through 21 are incorporated herein as if set forth in full.

25. From on or about September 2002, and continuing until on or about October 2012, in the State and Federal District of Nevada, and elsewhere,

STEVEN E. JONES,
 THOMAS A. CECRLE, Jr.,
 TERRY J. WOLFE,
 CONSTANCE C. FENTON,
 ASHLEE M. MARTIN and
 MARK HANSEN,

defendants herein, and others known and unknown to the Grand Jury, aided and abetted by each other, unlawfully, knowingly, and willfully, by the use of means and instrumentalities of interstate commerce, the mail, and the wires, did, directly and indirectly, use and employ manipulative and deceptive devices and contrivances in connection with the purchase and sale of a security, that is: investment contracts and/or loans, and did: (a) employ a device, scheme and artifice to defraud; (b) make untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and (c) engage in acts, practices and courses of business which would and did operate as a fraud and deceit upon members of the investing public, in connection with the sale of said securities.

All in violation of Title 15, United States Code, Sections 78j(b) and 78ff(a); Title 17, Code of Federal Regulations, Section 240.10b-5; and Title 18, United States Code, Section 2.

COUNT NINE

Conspiracy to Commit Money Laundering
 (Title 18, United States Code, Section 1956(h))

26. Paragraphs 1 through 23 are incorporated herein as if set out in full.

27. Beginning at a time unknown to the Grand Jury, but no later than on or about September 2002, and continuing until on or about October 2012, in the State and Federal District of Nevada, and elsewhere,

STEVEN E. JONES,
 THOMAS A. CECRLE, Jr.,
 TERRY J. WOLFE,
 CONSTANCE C. FENTON,
 ASHLEE M. MARTIN, and
 MARK HANSEN,

defendants herein, did conspire, confederate and agree with each other, and with others known and unknown to the Grand Jury, to commit the crime of money laundering, in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i); and 1957(a).

28. It was an object of the conspiracy to knowingly conduct, and attempt to conduct, a financial transaction which involved the proceeds of the fraud specified herein, with the intent to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of the fraud.

29. It was an object of the conspiracy to knowingly engage, or attempt to engage, in a monetary transaction in property greater than \$10,000 which was derived from the fraud as specified herein.

30. In furtherance of the conspiracy, the defendants performed the overt acts charged in Counts Ten through Twenty of this Indictment.

All in violation of Title 18, United States Code, Section 1956(h).

COUNTS TEN AND ELEVEN

Money Transactions in Property Derived from Specified Unlawful Activity
(Title 18, United States Code, Section 1957)

31. Paragraphs 1 through 30 are incorporated herein as if set forth in full.

32. On or about the dates set forth below, in the State and Federal District of Nevada, and elsewhere,

**STEVEN E. JONES,
THOMAS A. CECRLE, Jr.,
TERRY J. WOLFE,
CONSTANCE C. FENTON,
ASHLEE M. MARTIN and
MARK HANSEN,**

defendants herein, aided and abetted by each other, did knowingly engage, and attempt to engage, in a monetary transaction affecting interstate and foreign commerce in criminal derived property of a value greater than \$10,000, which was derived from specified unlawful activity, namely Wire Fraud in violation of Title 18, United States Code, Section 1343; and Securities Fraud, in violation of Title 15, United States Code, Section 78j(b), as more fully described in Counts One through Seven of this Indictment, to wit:

Count	Date	Transaction	Account
Ten	01/02/2008	\$ 40,000 Cashier's Check	Fenton/Cecrle Wells Fargo Acct. ###153
Eleven	01/07/2008	\$ 29,300 Deposit	Jones/Cecrle Wells Fargo Acct. ###421

All in violation of Title 18, United States Code, Sections 1957 and 2.

COUNTS TWELVE TO TWENTY

Laundering of Monetary Instruments
(Title 18, United States Code, Section 1956(a)(1)(B)(i))

33. Paragraphs 1 through 30 are incorporated herein as if set forth in full.

34. On or about the dates set forth below, in the State and Federal District of Nevada, and elsewhere,

STEVEN E. JONES,
THOMAS A. CECRLE, Jr.,
TERRY J. WOLFE,
CONSTANCE C. FENTON,
ASHLEE M. MARTIN, and
MARK HANSEN,

defendants herein, aided and abetted by each other, did knowingly conduct, and attempt to conduct, a financial transaction which involved the proceeds of specified unlawful activity, namely Wire Fraud in violation of Title 18, United States Code, Section 1343; and Securities Fraud, in violation of Title 15, United States Code, Section 78j(b), as more fully described in Counts One through Eight of this Indictment, with the intent to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of the specified unlawful activity, to wit:

Count	Date	Transaction	Account
Twelve	11/16/2007	\$503 Cash Withdrawal	Jones/Cecrle Wells Fargo Acct. ###421
Thirteen	01/07/2008	\$1,000 Cash Deposit	Hansen Wells Fargo Acct. ###251
Fourteen	01/08/2008	\$9,400 Cash Withdrawal	Jones/Cecrle Wells Fargo Acct. ###421
Fifteen	05/27/2008	\$5,200 Cash Deposit	Wolfe Bank of America Acct. ###682
Sixteen	01/23/2009	\$5,100 Cash Withdrawal	Bank of America Acct. ###299
Seventeen	01/27/2010	\$6,440 Cash Withdrawal	Martin Bank of America Acct. ###134
Eighteen	07/23/2010	\$1,665 Cash Withdrawal	Martin Bank of America Acct. ###134
Nineteen	08/12/2011	\$9,840 Cash Withdrawal	Martin Bank of America Acct. ###134
Twenty	12/02/2011	\$7,200 Cash Withdrawal	Martin Bank of America Acct. ###339

All in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2.

FORFEITURE ALLEGATION ONE
Wire Fraud and Conspiracy to Commit Wire Fraud

1. The allegations contained in Counts One through Seven of this Criminal Indictment are hereby Realleges and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C); and Title 28, United States Code, Section 2461(c).

2. Upon conviction of any of the felony offenses charged in Counts One through Six of this Criminal Indictment,

**STEVEN E. JONES,
THOMAS A. CECRLE, Jr.,
TERRY J. WOLFE,
CONSTANCE C. FENTON,
ASHLEE M. MARTIN, and
MARK HANSEN,**

defendants herein, shall forfeit to the United States of America, any property, real or personal, which constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Section 1343, a specified unlawful activity as defined in Title 18, United States Code, Sections 1956(c)(7)(A) and 1961(1)(B), or Title 18, United States Code, Section 1349, conspiracy to commit such offenses, an *in personam* criminal forfeiture money judgment of \$1,500,000 in United States Currency.

3. If any property being subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the defendants –

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be divided without difficulty;

it is the intent of the United States of America, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any properties of the defendants for the *in personam* criminal forfeiture money judgment of \$1,500,000 in United States Currency.

...

1 All pursuant to Title 18, United States Code, Section 981(a)(1)(C); and Title 28, United
 2 States Code, Section 2461(c); Title 18, United States Code, Section 1343, a specified unlawful activity as
 3 defined in Title 18, United States Code, Sections 1956(c)(7) and 1961(1)(B); Title 18, United States Code,
 4 Section 1349; and Title 21, United States Code, Section 853(p).

5 **FORFEITURE ALLEGATION TWO**
 6 Securities Fraud

7 1. The allegations contained in Count Eight of this Criminal Indictment are hereby Realleges
 8 and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United
 9 States Code, Section 981(a)(1)(C); and Title 28, United States Code, Section 2461(c).

10 2. Upon conviction of any of the felony offenses charged in Count Seven of this Criminal
 11 Indictment,

12 **STEVEN E. JONES,**
 13 **THOMAS A. CECRLE, Jr.,**
 14 **TERRY J. WOLFE,**
CONSTANCE C. FENTON,
ASHLEE M. MARTIN and
MARK HANSEN,

15 defendants herein, shall forfeit to the United States of America, any property, real or personal, which
 16 constitutes or is derived from proceeds traceable to violations of fraud in the sale of securities under Title
 17 15, United States Code, Sections 78j(b) and 78ff(a); specified unlawful activities as defined in Title 18,
 18 United States Code, Sections 1956(c)(7)(A) and 1961(1)(D); or a conspiracy to commit such offenses, an
 19 *in personam* criminal forfeiture money judgment of \$1,500,000 in United States Currency.

20 3. If any property being subject to forfeiture pursuant to Title 18, United States Code, Section
 21 981(a)(1)(C); and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the
 22 defendants –

- 23 a. cannot be located upon the exercise of due diligence;
- 24 b. has been transferred or sold to, or deposited with, a third party;
- 25 c. has been placed beyond the jurisdiction of the court;
- 26 d. has been substantially diminished in value; or
- 27 e. has been commingled with other property that cannot be divided without difficulty;
- 28 it is the intent of the United States of America, pursuant to Title 21, United States Code, Section 853(p),

1 to seek forfeiture of any properties of the defendants for the *in personam* criminal forfeiture money
2 judgment of \$1,500,000 in United States Currency.

3 All pursuant to Title 18, United States Code, Section 981(a)(1)(C); and Title 28, United
4 States Code, Section 2461(c); Title 15, United States Code, Sections 78j(b) and 78ff(a), fraud in the sale
5 of securities, specified unlawful activities as defined in Title 18, United States Code, Sections 1956(c)(7)
6 and 1961(1)(D); and Title 21, United States Code, Section 853(p).

7 **FORFEITURE ALLEGATION THREE**

8 Conspiracy to Commit Money Laundering,
9 Money Transactions in Property Derived from Specified Unlawful Activities, and
10 Laundering of Money Instruments

11 1. The allegations contained in Counts Nine through Twenty of this Criminal Indictment are
12 hereby Realleges and incorporated herein by reference for the purpose of alleging forfeiture pursuant to
13 Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

14 2. Upon conviction of any of the felony offenses charged in Counts Eight through Sixteen
15 of this Criminal Indictment,

16 **STEVEN E. JONES,**
17 **THOMAS A. CECRLE, Jr.,**
18 **TERRY J. WOLFE,**
19 **CONSTANCE C. FENTON,**
20 **ASHLEE M. MARTIN, and**
21 **MARK HANSEN,**

22 defendants herein, shall forfeit to the United States of America, any property, real or personal, which
23 constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Sections
24 1956(a)(1)(B)(i), 1956(h), and 1957, specified unlawful activities as defined in Title 18, United States
25 Code, Sections 1956(c)(7)(A) and 1961(1)(B), or Title 18, United States Code, Section 1956(h), conspiracy
26 to commit such offenses, an *in personam* criminal forfeiture money judgment of \$1,500,000 in United
27 States Currency.

28 3. If any property being subject to forfeiture pursuant to Title 18, United States Code, Section
981(a)(1)(C) and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the
defendants –

a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be divided without difficulty;

it is the intent of the United States of America, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any properties of the defendants for the *in personam* criminal forfeiture money judgment of \$3,000,000 in United States Currency.

All pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); Title 18, United States Code, Sections 1956(a)(1)(B)(i), 1956(h), and 1957, specified unlawful activities as defined in Title 18, United States Code, Sections 1956(c)(7) and 1961(1)(B); and Title 21, United States Code, Section 853(p).

FORFEITURE ALLEGATION FOUR

Conspiracy to Commit Money Laundering,
Money Transactions in Property Derived from Specified Unlawful Activities, and
Laundering of Money Instruments

1. The allegations contained in Counts Nine through Twenty of this Criminal Indictment are hereby Realleges and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(A) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of any of the felony offenses charged in Counts Eight through Sixteen of this Criminal Indictment,

**STEVEN E. JONES,
THOMAS A. CECRLE, Jr.,
TERRY J. WOLFE,
CONSTANCE C. FENTON,
ASHLEE M. MARTIN, and
MARK HANSEN,**

defendants herein, shall forfeit to the United States of America, any property, real or personal, involved in transactions or attempted transactions in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i), 1956(h), and 1957, or any property traceable to such property, an *in personam* criminal forfeiture money judgment of \$3,000,000 in United States Currency.

3. If any property being subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(A) and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the defendants –

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be divided without difficulty;

it is the intent of the United States of America, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any properties of the defendants for the *in personam* criminal forfeiture money judgment of \$3,000,000 in United States Currency.

All pursuant to Title 18, United States Code, Section 981(a)(1)(A) and Title 28, United States Code, Section 2461(c); Title 18, United States Code, Sections 1956(a)(1)(B)(i), 1956(h), and 1957; and Title 21, United States Code, Section 853(p).

FORFEITURE ALLEGATION FIVE

Conspiracy to Commit Money Laundering,
Money Transactions in Property Derived from Specified Unlawful Activities, and
Laundering of Money Instruments

1. The allegations contained in Counts Eight through Sixteen of this Criminal Indictment are hereby Realleges and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(1).

2. Upon conviction of any of the felony offenses charged in Counts Eight through Sixteen of this Criminal Indictment,

**STEVEN E. JONES,
THOMAS A. CECRLE, Jr.,
TERRY J. WOLFE,
CONSTANCE C. FENTON,
ASHLEE M. MARTIN, and
MARK HANSEN,**

defendants herein, shall forfeit to the United States of America, any property, real or personal, involved in violations of Title 18, United States Code, Sections 1956(a)(1)(B)(i), 1956(h), and 1957, or any property

1 traceable to such property, an *in personam* criminal forfeiture money judgment of \$1,500,000 in United
2 States Currency.

3 3. If any property being subject to forfeiture pursuant to Title 18, United States Code, Section
4 982(a)(1), as a result of any act or omission of the defendants –

- 5 a. cannot be located upon the exercise of due diligence;
- 6 b. has been transferred or sold to, or deposited with, a third party;
- 7 c. has been placed beyond the jurisdiction of the court;
- 8 d. has been substantially diminished in value; or
- 9 e. has been commingled with other property that cannot be divided without difficulty;

10 it is the intent of the United States of America, pursuant to Title 21, United States Code, Section 853(p),
11 to seek forfeiture of any properties of the defendants for the *in personam* criminal forfeiture money
12 judgment of \$3,000,000 in United States Currency.

13 All pursuant to Title 18, United States Code, Section 982(a)(1); Title 18, United States Code,
14 Sections 1956(a)(1)(B)(i), 1956(h), and 1957; and Title 21, United States Code, Section 853(p).

15 **DATED:** this 24 day of October, 2012.

16 **A TRUE BILL:**

17
18 /S/
19 FOREPERSON OF THE GRAND JURY

20 DANIEL G. BOGDEN
21 United States Attorney

22 
23 STEVEN W. MYHRE
24 Assistant United States Attorney